

Dear Hannah E,

Pursuant to our conversation on August 23, 2022 as we were talking i send you the following documentation. Please see email forward to you on August 23, 2022. As we discussed, on that day I was expecting a representative from M&T bank to call me by Friday, August 26, 2022. However no one did, On tuesday August 30, 2022I I initiated a live contact with an M&T representative named Mark M.who escalated my loss mitigation application for review by the underwriters. On friday, September 2, 2022 I called Penny L another M&T representative is still active for foreclosure and my application is not complete because they are missing the extension for 2021 which has been sent on May 2022, June 2022, July 2022, August 2022 and egain on 08/23/2022. The form 4506-C is scribbled and page 5 on hardship application is not completed. Please see again attached the missing, presumably, documentation.

1)2021 Tax extension

2) 4506-C FORM

3) Page 5 on Hardship application. has been completed july 12, 2022

Ms. Hannah E should you have any additional questions or concerns please initiate live contact with the undersigned at 732-302-0027

Thank you for your attention in this matter Hopefully, this concludes the application for loss mitigation which started in December 2021 and successfully completed all the trial payments However it was denied for indisputable reasons and resume again in July of 2022 and the subsequent months until today 09/06/2022

Sincerely

Chryssoula Arsenis.

hanks for choosing TaxAct! Date: Monday, April 25, 2022 4:13 PM

Taxpayer Name: CHRYSSOULA ARSENIS Status: New Jersey Extension Electronic Return Accepted

Note: Now that this state return has been accepted, please keep in mind that if your federal return is altered at any point going forward, you may need to file an amended state return. When you're ready to file, simply sign in at <http://www.taxact-online.com/21email.asp?sc&p=28> to finish and e-file. Free tax and audit help will be available online at <http://www.taxact-online.com/21email.asp?sc&p=18> or via email at <http://www.taxact-online.com/21email.asp?sc&p=146>. Sign up free to receive text reminders at <http://www.taxact-online.com/21email-tt.asp?sc&p=83> to file your return by the extension deadline of Oct. 15, 2021, or add a reminder to your Google Calendar at <http://www.taxact-online.com/21email-tt.asp?sc&p=84> or Outlook Calendar at <http://www.taxact-online.com/21email-tt.asp?sc&p=85>. Questions? Please do not reply to this email. Contact us through our Support and Service Center. <http://www.taxactsoftware.com/21email.asp?sc=210111011001&p=13>

Subject: Recovery Loss Mitigation as per the Executive Summary of the 2021 Mortgage Servicing Covid-19 Rule. Loan No. 0090610809 Mr. Paul R. Rodriquez Acting Director of Division Of Consumer Financial Protection Affairs(CFPB) 1700 G Street N.W, Washington D.C 20552 Email: 08/08/2022 Dear Mr. Paul R. Rodriquez, This letter acknowledges receipt of the correspondence dated and signed by Frances ViaFara Kim, Escalation Analyst, concerning the above referenced Loan No. 0090610809 M&T Bank Customer Asset Management 475 Cross Point Parkway Gettrille NY,14068. As per the Executive Summary of the 2021 Mortgage Servicing Covid-19 Rule which was effective on August 31, 2021 by the Consumer Financial Protection Bureau that issued the Final Rule(2021 Mortgage Servicing Control or 2021 Rules) amending certain provisions regarding additional assistance to the borrowers experienced a Covid-19 related Hardship. However, the Borrowers record analysis does not indicate any early intervention or a follow up with certain loss mitigation requirements including the designating procedures for reviewing loss mitigation application(s) or providing this borrowers protection during the review. The undersigned borrower on December 16, 2021 was approved for a trial payment plan(TPP) which was carried out successfully till the end by the borrower despite the requirement of the 2021 Mortgage Servicing Covid-19 Rule added.

However, M&T Bank during the trial period increased the monthly principal and interest payment beyond the amount that was required prior to the modification. Prior to the modification current terms interest, principal payment were in the amount of \$3,953.14 for 2020. Maturity Date January 1, 2038. Modification terms payment included principal interest and escrow Maturity date 04/01/2062 Deferred Principal \$00.00 Noted as per the requirements of the executive summary of the 2021 Mortgage Servicing Covid-19 Rule the payment was not reduced but increased. As per M&T, The Letter dated January 11, 2022 was never delivered to the borrower, however the documents were verbally requested. Subsequently and immediately, it was explained to the Mortgagee that Charalampos Arsenis died in Greece and the anticipated time of receiving the death certificate was 6 months. Upon the issuance of the death certificate by the Greek embassy in New York. It had to be translated to English by an Embassy approved Translator and right after it had to be returned to the Greek Embassy for a formal signature. To make a story short all of the above were exchanged with the borrower over the phone who initiated and established the live contact. Although, and despite the myriad requests the January 11, 2022 letter not was not delivered. In spite, of the death certificate officially stamped by the Embassy and it was sent to M&T in Greek on May 27, 2022 and the officially translated copy into English death certificate was emailed to M&T Bank on May 31, 2022. The probate documents available showing clearly Chryssoula Arsenis as the sole owner, were certified by the Somerset County Clerk on June 16, 2022. The reasons for the delay is that the mortgagee was advising the borrower to contact the probate court which is an administrative Court Noted Charalampos Arsenis prior to his death had transferred the deed to the Borrower Chryssoula Arsenis and the last copy of the Deed was sent to the Bank on However, M&T Bank did not accept it. M&T Bank failed to advise the borrower correctly because they were requesting documents which had nothing to do with the probate court. Finally, after copious investigations the Borrower delivered the certified deed to the Mortgagee on June 16, 2022 certified by the Somerset County Clerk. Very importantly and bears repeating all the communication exchanges were done over phone and not in writing and needless to say were initiated and established by the borrower. However, it can be verified because they are recorded. I requested the recordings but M&T Bank denied the request. As it is worth noted under the Mortgage Servicing Rules, “when a servicer receives an incomplete application from the borrower, the servicer is required

to exercise reasonable diligence to complete the application. However, the servicer did not exercise any reasonable diligence although they had been clearly informed by the borrower that their requests were just about to be completed and the reasons for the delayed were given to them myriad of times because the borrower made a good faith effort to establish live contact with the servicer. Nevertheless, the servicer declined all of the above and immediately sent a Notice of Intent to Foreclose. The borrower submitted another application(s) for the months of May, June, July, which all of them were denied because it was determined by the servicer that they were incomplete. Some examples are included, On July 7, 2022 the borrower established live contact with Jacobs A phone 1800 724-1633 x 8567. The information is as follows 1) Work out package Missing pages 5-7 2) 2 months of direct deposit to social security award 3) Profit loss statements April May June 4) Form 4506-C signature is missing On 07/18/22 live contact initiated by the borrower with Manager Hannah E x 9689. They did not have the claim to review the application. No sale of the property has been scheduled as of yet. July 14, 2022 Jacobs A phone 1800 724-1633 x 8567 Submitted a complaint for age discrimination no answered has been sent as of yet by the mortgagee regarding the application and letter of explanation to each incomplete request was provided. July 21, 2022 Borrower established live contact with Sharon L at the single point of contact who stated that they will let me know if the application is complete. July 18, 2022 Sharon L M&T Bank Borrower established live contact everything looked good on the application also on 07/22/22 The Borrower requested the recordings of the live contact the last two valuations of the property, interest for 2021, 2022 and tax disbursements for the property at 6 Quail Run Warren NJ 07059 and the inspection of the property noted, nothing has been received as of yet. On 07/26/22 The borrower established a lived contact with William J who stated that they received all the documents requested but the servicer is very busy. However, the Borrowers is on an active foreclosure status William J, negated the letter of July 14, 2022 sent to the borrower for Approval for a trial period. Please see attached (Exhibit 1 on August 2, 2022. The borrower established another hire contact with Wayne D. who stated that the same application discussed with William J. on July 26, 2022 was incomplete, he requested everything that had been sent to the servicer already. On August 12, 2022 On the August 2, 2022, The Borrower established another live contact with Brian Soulvie Supervisor, manager of the single point of contact phone 1800 7241633 who stated the application after so many copious efforts was incomplete and suggested to submit another one. The borrower the same day applied again, On August 12, 2022(a true and accurate copy of the Mortgage assistance application is enclosed a letter was received. (Please see exhibit 2) It is worth noting that the Notice of Intent to Accelerate and Foreclose deadline is by August 26, 2020. Please see a true and accurate copy of the Notice of Intent to Accelerate and foreclose by August 26, 2022(Exhibit 3) On August 15, 2022 Candice F, left a message the borrower returned her call promptly the sameday Sherrie Riker did not know the status application. Last but not least this borrower has been harassed discriminated by the servicer M&T Bank. Under the 2021 Mortgage Servicing Covid-19 Rule the Servicer rarely established a live contact or exercised a reasonable diligence to complete an application(s) after the borrower completed the trial payment period. On May 3, 2022 the borrower received on May 3, 2022 a denial letter for workout assistance which had been removed because of liens or judgments that have not been satisfied as a condition for the approval of the loan modification. Please see accurate copy (Exhibit 4). Therefore, the death certificate of the borrower's late husband and the probate were/mere a plot. Noted, as per the mortgage servicing Covid-19 Rule. The servicer M&T Bank has not met the requirements of the servicing rule. The servicer made a foreclosure referral by completing

foreclosure actions threatening for foreclosure judgment or order of sale, such as Wayne D on August 2, 2022 (It is on the recording line) stated a quite a few other personnel assigned to this borrower have stated. Subsequently, This borrower has submitted so many applications for June, July, August and all of them were denied as incomplete (Exhibit 4) True and accurate copies for the application(s) According to the rule and safeguards, after completion of the trail period the servicer did not wait an additional period before imitating foreclosure in order to satisfy certain conditions to allow the borrower the opportunity to pursue loss mitigation. The servicer did not even determine that this borrower is not eligible for any loss mitigation option and did not notify this borrower of such and the servicer did not even determine that the borrower has exhausted of all of the appeal process. This Borrower did not fail to perform under a loss mitigation option agreement, generally the foreclosure protection conditions were not followed by this servicer. Notwithstanding, M&T bank the servicer keeps evading the requirements to complete a loss mitigation application(S) or exhaust all loss mitigation options available to this borrower based on the evaluation of any information provided by this borrower in connection with the presumed incomplete loss mitigation application(s) for the months of June, July, and August. Instead, this servicer did not even comply with the loss mitigation Covid-19 related streamline loan modifications. The servicer even included in connection with the loan modification fees, presumably the borrower owes such as, late fees penalties that were incurred after March 1, 2022 Under this exception offering a loan modification does not constitute a loan modification based on a complete application. Likewise, this servicer did not provide all the protections that follow under the Rules for subsequent application(s) and the foreclosure protection conditions were not met by this servicer who did not comply under the Mortgage Servicing Rule of the Executive Summary of the 2021. With regards to complain that the servicer did not receive the proper documentation by April 1, 2022, the third payment trial period was due on April 1, 2022 which they received and denied (see exhibit 5 and true copy for liens and judgments). All the application(s) for the months of June, July and presumably August have been denied. This servicer has not been in regular communication with the borrower. On the contrary, it is the borrower who has initiated and established al the live contacts mentioned before. The borrower, repeats and alleges that has been age discriminated and harassed. All the borrowers efforts for loss mitigation Covid-19 subsequent application(s) have been denied and reasonable due diligence was not applied by the servicer. This servicers performance as per the Executive Summary of 2021 can be rated as fair to guarded. Regarding the foreclosure proceedings commenced on July 2022 the servicer did not comply with the foreclosure protection conditions, however, the servicer commenced on July , 2022, Foreclosure proceedings. Consequently for the foregoing reasons clearly presented above and pursuant to the Executive Summary of the 2021 Mortgage Servicing Covid-19 Rule the servicer has not comply with the above by assisting the borrower to go through the successful path of recovery, despite the detrimental impact of the Covid-19 Pandemic to all health care practitioners. Instead, the servicer is continuously threatening with foreclosure proceedings currently, as of August 26, 2022. In addition, the mortgagee keeps accumulating late charges, penalties and the outstanding principal balance consists of discrepancies which are carried over to tax disbursements. The Borrower just received the letter enclosed for loss mitigation assistance application for the month of August Exhibit 6 a true and accurate copy of the letter dated August 15, 2022 by M&T Bank. Please also see enclosed the complete application sent to them August 12, 2022. Thank you for your attention and cooperation in this matter Should you have any additional questions or concerns needless to say I am at your disposal at 732-302-0027 Sincerely, Chrissy Arsenis

## **I UNDERSTAND THE COMPANY'S RESPONSE TO MY COMPLAINT**

No

## **ADDITIONAL COMMENTS**

Subject: Recovery Loss Mitigation as per the Executive Summary of the 2021 Mortgage Servicing Covid-19 Rule. Loan No. 0090610809 Mr. Paul R. Rodriguez Acting Director of Division Of Consumer Financial Protection Affairs(CFPB) 1700 G Street N.W, Washington D.C 20552 Email: 08/08/2022 Dear Mr. Paul R. Rodriguez, This letter acknowledges receipt of the correspondence dated and signed by Frances ViaFara Kim, Escalation Analyst, concerning the above referenced Loan No. 0090610809 M&T Bank Customer Asset Management 475 Cross Point Parkway Gettrille NY,14068. As per the Executive Summary of the 2021 Mortgage Servicing Covid-19 Rule which was effective on August 31, 2021 by the Consumer Financial Protection Bureau that issued the Final Rule(2021 Mortgage Servicing Control or 2021 Rules) amending certain provisions regarding additional assistance to the borrowers experienced a Covid-19 related Hardship. However, the Borrowers record analysis does not indicate any early intervention or a follow up with certain loss mitigation requirements including the designating procedures for reviewing loss mitigation application(s) or providing this borrowers protection during the review. The undersigned borrower on December 16, 2021 was approved for a trial payment plan(TPP) which was carried out successfully till the end by the borrower despite the requirement of the 2021 Mortgage Servicing Covid-19 Rule added.

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**THE COMPANY DID WHAT THEY SAID THEY WOULD DO WITH MY COMPLAINT**

No

**ADDITIONAL COMMENTS**

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However, M&T Bank during the trial period increased the monthly principal and interest payment beyond the amount that was required prior to the modification. Prior to the modification current terms interest, principal payment were in the amount of \$3,953.14 for 2020. Maturity Date January 1, 2038. Modification terms payment included principal interest and escrow Maturity date 04/01/2062 Deferred Principal \$00.00 Noted as per the requirements of the executive summary of the 2021 Mortgage Servicing Covid-19 Rule the payment was not reduced but increased. As per M&T, The Letter dated January 11, 2022 was never delivered to the borrower, however the documents were verbally requested. Subsequently and immediately, it was explained to the Mortgagee that Charalampos Arsenis died in Greece and the anticipated time of receiving the death certificate was 6 months. Upon the issuance of the death certificate by the Greek embassy in New York. It had to be translated to English by an Embassy approved Translator and right after it had to be returned to the Greek Embassy for a formal signature. To make a story short all of the above were exchanged with the borrower over the phone who initiated and established the live contact. Although, and despite the myriad requests the January 11, 2022 letter not was not delivered. In spite, of the death certificate officially stamped by the Embassy and it was sent to M&T in Greek on May 27, 2022 and the officially translated copy into English death certificate was emailed to M&T Bank on May 31, 2022. The probate documents available showing clearly Chrysoula Arsenis as the sole owner, were certified by the Somerset County Clerk on June 16, 2022. The reasons for the delay is that the mortgagee was advising the borrower to contact the probate court which is an administrative Court Noted Charalampos Arsenis prior to his death had transferred the deed to the Borrower Chrysoula



Arsenis and the last copy of the Deed was sent to the Bank on However, M&T Bank did not accept it. M&T Bank failed to advise the borrower correctly because they were requesting documents which had nothing to do with the probate court. Finally, after copious investigations the Borrower delivered the certified deed to the Mortgagee on June 16, 2022 certified by the Somerset County Clerk. Very importantly and bears repeating all the communication exchanges were done over phone and not in writing and needless to say were initiated and established by the borrower. However, it can be verified because they are recorded. I requested the recordings but M&T Bank denied the request. As it is worth noted under the Mortgage Servicing Rules, "when a servicer receives an incomplete application from the borrower, the servicer is required to exercise reasonable diligence to complete the application. However, the servicer did not exercise any reasonable diligence although they had been clearly informed by the borrower that their requests were just about to be completed and the reasons for the delayed were given to them myriad of times because the borrower made a good faith effort to establish live contact with the servicer. Nevertheless, the servicer declined all of the above and immediately sent a Notice of Intent to Foreclose. The borrower submitted another application(s) for the months of May, June, July, which all of them were denied because it was determined by the servicer that they were incomplete. Some examples are included, On July 7, 2022 the borrower established live contact with Jacobs A phone 1800 724-1633 x 8567. The information is as follows 1) Work out package Missing pages 5-7 2) 2 months of direct deposit to social security award 3) Profit loss statements April May June 4) Form 4506-C signature is missing On 07/18/22 live contact initiated by the borrower with Manager Hannah E x 9689. They did not have the claim to review the application. No sale of the property has been scheduled as of yet. July 14, 2022 Jacobs A phone 1800 724-1633 x 8567 Submitted a complaint for age discrimination no answered has been sent as of yet by the mortgagee regarding the application and letter of explanation to each incomplete request was provided. July 21, 2022 Borrower established live contact with Sharon L at the single point of contact who stated that they will let me know if the application is complete. July 18, 2022 Sharon L M&T Bank Borrower established live contact everything looked good on the application also on 07/22/22 The Borrower requested the recordings of the live contact the last two valuations of the property, interest for 2021, 2022 and tax disbursements for the property at 6 Quail Run Warren NJ 07059 and the inspection of the property noted, nothing has been received as of yet. On 07/26/22 The borrower established a lived contact with William J who stated that they received all the documents requested but the servicer is very busy. However, the Borrowers is on an active foreclosure status William J, negated the letter of July 14, 2022 sent to the borrower for Approval for a trial period. Please see attached (Exhibit 1 on August 2, 2022. The borrower established another hire contact with Wayne D. who stated that the same application discussed with William J. on July 26, 2022 was incomplete, he requested everything that had been sent to the servicer already. On August 12, 2022 On the August 2, 2022, The Borrower established another live contact with Brian Soulvie Supervisor, manager of the single point of contact phone 1800 7241633 who stated the application after so many copious efforts was incomplete and suggested to submit another one. The borrower the same day applied again, On August 12, 2022(a true and accurate copy of the Mortgage assistance application is enclosed a letter was received. (Please see exhibit 2) It is worth noting that the Notice of Intent to Accelerate and Foreclose deadline is by August 26, 2020. Please see a true and accurate copy of the Notice of Intent to Accelerate and foreclose by August 26, 2022(Exhibit 3) On August 15, 2022 Candice F, left a message the borrower returned her call promptly the sameday Sherrie Riker did not know the status application. Last but not least this

borrower has been harassed discriminated by the servicer M&T Bank. Under the 2021 Mortgage Servicing Covid-19 Rule the Servicer rarely established a live contact or exercised a reasonable diligence to complete an application(s) after the borrower completed the trial payment period. On May 3, 2022 the borrower received on May 3, 2022 a denial letter for workout assistance which had been removed because of liens or judgments that have not been satisfied as a condition for the approval of the loan modification. Please see accurate copy (Exhibit 4). Therefore, the death certificate of the borrower's late husband and the probate were/mere a plot. Noted, as per the mortgage servicing Covid-19 Rule. The servicer M&T Bank has not met the requirements of the servicing rule. The servicer made a foreclosure referral by completing foreclosure actions threatening for foreclosure judgment or order of sale, such as Wayne D on August 2, 2022 (It is on the recording line) stated a quite a few other personnel assigned to this borrower have stated. Subsequently, This borrower has submitted so many applications for June, July, August and all of them were denied as incomplete (Exhibit 4) True and accurate copies for the application(s) According to the rule and safeguards, after completion of the trail period the servicer did not wait an additional period before imitating foreclosure in order to satisfy certain conditions to allow the borrower the opportunity to pursue loss mitigation. The servicer did not even determine that this borrower is not eligible for any loss mitigation option and did not notify this borrower of such and the servicer did not even determine that the borrower has exhausted of all of the appeal process. This Borrower did not fail to perform under a loss mitigation option agreement, generally the foreclosure protection conditions were not followed by this servicer. Notwithstanding, M&T bank the servicer keeps evading the requirements to complete a loss mitigation application(S) or exhaust all loss mitigation options available to this borrower based on the evaluation of any information provided by this borrower in connection with the presumed incomplete loss mitigation application(s) for the months of June, July, and August. Instead, this servicer did not even comply with the loss mitigation Covid-19 related streamline loan modifications. The servicer even included in connection with the loan modification fees, presumably the borrower owes such as, late fees penalties that were incurred after March 1, 2022 Under this exception offering a loan modification does not constitute a loan modification based on a complete application. Likewise, this servicer did not provide all the protections that follow under the Rules for subsequent application(s) and the foreclosure protection conditions were not met by this servicer who did not comply under the Mortgage Servicing Rule of the Executive Summary of the 2021. With regards to complain that the servicer did not receive the proper documentation by April 1, 2022, the third payment trial period was due on April 1, 2022 which they received and denied (see exhibit 5 and true copy for liens and judgments). All the application(s) for the months of June, July and presumably August have been denied. This servicer has not been been in regular communication with the borrower. On the contrary, it is the borrower who has initiated and established al the live contacts mentioned before. The borrower, repeats and alleges that has been age discriminated and harassed. All the borrowers efforts for loss mitigation Covid-19 subsequent application(s) have been denied and reasonable due diligence was not applied by the servicer. This servicers performance as per the Executive Summary of 2021 can be rated as fair to guarded. Regarding the foreclosure proceedings commenced on July 2022 the servicer did not comply with the foreclosure protection conditions, however, the servicer commenced on July , 2022, Foreclosure proceedings. Consequently for the foregoing reasons clearly presented above and pursuant to the Executive Summary of the 2021 Mortgage Servicing Covid-19 Rule the servicer has not comply with the above by assisting the borrower to go through the successful path of recovery, despite the detrimental impact of the

Covid-19 Pandemic to all health care practitioners. Instead, the servicer is continuously threatening with foreclosure proceedings currently, as of August 26, 2022. In addition, the mortgagee keeps accumulating late charges, penalties and the outstanding principal balance consists of discrepancies which are carried over to tax disbursements. The Borrower just received the letter enclosed for loss mitigation assistance application for the month of August Exhibit 6 a true and accurate copy of the letter dated August 15, 2022 by M&T Bank. Please also see enclosed the complete application sent to them August 12, 2022. Thank you for your attention and cooperation in this matter Should you have any additional questions or concerns needless to say I am at your disposal at 732-302-0027 Sincerely, Chryssoula Arsenis Please call me so i can send evidence in the exhibit 1-6 in PDF files

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